



Waganakising Odawak
Little Traverse Bay Bands of Odawa Indians
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INTERIM CITIZENSHIP STATUTE REGULATIONS

- I. INTRODUCTION AND EXPLANATION.** The Regulations below are required by the Citizenship Statute, WOS 2006-008. The Regulations implement various provisions of the Statute, and explain enrollment requirements mandated by the Constitution and Statute. The Regulations are designed to provide guidance to individuals seeking to enroll in the Tribe, including what types of documents and information are necessary to successfully obtain citizenship.
- II. DEFINITIONS:**
- A. Adult:** A person eighteen (18) years or older or otherwise emancipated by order of a court of competent jurisdiction.
- B. Base Roll:** The Base Roll consists of Little Traverse Bay Bands of Odawa Indians (LTBB) Citizens enrolled prior to May 2, 1996 and includes 2,239 citizens. On March 31, 2003 the Base Roll was published in the Federal Register by the Department of the Interior Bureau of Indian Affairs.
- C. Biological Father:** The man whose union with a mother resulted in the conception of the child in question.
- D. Collateral Relatives:** Individuals descending from the same ancestor, but who are not lineally descended from one another (namely, aunts, uncles, brothers, sisters, cousins, etc).
- E. Decree of Adoption:** A legal order that finalizes an adoption.
- F. Descendant:** When used in enrollment, this term refers to lineal descendants. Lineal descendants are the children, grandchildren, great-grandchildren, etc. of an individual. A person is considered a lineal descendant of a tribal citizen even if a generation in between was not enrolled. Collateral relationships, such as brothers, sisters, aunts, uncles, nieces, nephews, and cousins, are not considered lineal descendants.
- G. Direct Lineal Descent:** The direct issue of an ancestor (namely the child, grandchild, etc.). Collateral relatives such as aunts, uncle, brothers, sisters, etc., are not considered lineal descendants.

- H. Disenrollment Hearing:** A hearing held by Tribal Council to determine whether or not a tribal citizen should be disenrolled from the Tribe. Such a hearing is required by article V, § H (4) of the Constitution before an individual can be disenrolled from the Tribe.
- I. Durant Field Notes:** The preprinted worksheets Horace B. Durant used to record the following data for each family; head of the family on the 1870 roll; name of the wife or husband; name of the children and grandchildren, and any additional information concerning the family. The field notes provided genealogical information used to determine if an individual was eligible to be listed on the census roll. A name underlined indicates that the person is deceased. Letters pertaining to various families are occasionally filed with the field notes.
- J. Durant Roll:** Horace B. Durant was instructed by the Commissioner of Indian Affairs to compile a roll of the Ottawa and Chippewa Indians in the State of Michigan who were eligible to received payment of monies owed from the terms of the July 31, 1855 treaty. The funds were to be divided among the Sault St. Marie, Mackinac, Little Traverse, Grand Traverse and Grand River Bands. Durant was instructed to enroll individuals “all of whom are members or descendants of members enrolled in 1870 who were still alive on March 4, 1907.” Durant submitted the roll to the commissioner of Indian Affairs on October 27, 1909. The census roll was approved by the office of the Secretary of the Department of Interior on February 18, 1910.
- K. Durant’s Supplemental Roll:** This roll contains the names of 202 children who were born after March 4, 1907, and prior to August 1, 1908 and was completed in 1909. The Secretary of the Department of Interior signed this roll at the same time February 18, 1910.
- L. Electronic Records:** Any computer file, digital image, etc. that can be stored in an electronic format on a device such as a computer, ZIP drive, memory stick, etc.
- M. Hard Copy Record:** Any tangible paper file, paper document, picture, etc. that can be physically handled or manipulated.
- N. Incompetent Person:** Any individual having been adjudicated by a court of competent jurisdiction as being incompetent or unable to act on their own behalf.
- O. List of Citizens:** A document listing all enrolled citizens compiled for internal governmental use.
- P. Minor:** A person seventeen years of age or younger.
- Q. North American Indian Blood Quantum:** Indian blood quantum from any Indian tribe, band, or community located in the United States, Canada and Mexico.

- R. Notice of Disenrollment:** A letter sent by Tribal Council to a tribal citizen informing them that the Tribal Council voted affirmatively, at least seven (7) of nine (9), to disenroll them from the Tribe.
- S. Parent:** A person who is legally responsible for the control and care of the child including a mother, father, guardian or custodian, including a natural or adoptive parent; but does not include persons whose parental rights have been terminated, nor does it include the unwed father where paternity has not been acknowledged or established.
- T. Record:** Any item, collection, or grouping of information about, or collected from individuals, including, but not limited to, birth certificates, genealogy reports, or other documents that contain the individual's name, or identifying particulars assigned to the individual, such as photographs, which information is collected for the purpose of determining the eligibility for enrollment in the Tribe.
- U. Request for Disclosure:** A request made by an individual for disclosure of a record(s) in a tribal citizen's enrollment file.
- V. Reservation:** Unless otherwise specified in this Constitution "Reservation" means all lands within the boundaries of the reservations for the Little Traverse Bay Bands of Odawa Indians as set out in Article I, paragraphs third and fourth of the Treaty of 1855, 11 Stat. 621, plus any lands set out in Articles Second and Third of the Treaty of March 28, 1836, 7 Stat. 491, in the event that the 1836 reservation is determined to include lands which are not included within the 1855 reservation, plus any lands outside of those boundaries which are now or in the future declared to be Little Traverse Bay Bands of Odawa Indians reservation by the U.S. Department of the Interior.
- W. Approval by Motion for Blood Quantum Change:** A motion passed by the Citizenship Commission after a review of a tribal citizen's enrollment file indicating a blood quantum change.
- X. Approval by Motion for Disenrollment:** A motion passed by the Citizenship Commission after a review of a tribal citizen's enrollment file and/or other relevant information which recommends that the tribal citizen be disenrolled from the Tribe.
- Y. Status Letter:** A letter sent by the Enrollment Department to a tribal citizen to inform that citizen that their eligibility for citizenship in LTBB is in question.
- Z. 1870 Payment Roll:** The 1870 Ottawa and Chippewa payment roll Durant used as a starting point for gathering the family and individual information for members of the Ottawa and Chippewa Tribe.

III. COMPUTATION OF BLOOD QUANTUM.

- A.** An individual's eligibility for citizenship in the Little Traverse Bay Bands of Odawa Indians is based upon a person's total degree of North American Indian blood quantum. This means the total degree of Indian blood quantum from Indian tribes, bands or communities located in United States, Canada and Mexico.
- B.** When computing the degree of Little Traverse Bay Bands of Odawa Indians Indian blood quantum the following guidelines shall be used:
- 1.** The blood quantum of persons whose names appear on the Durant Roll will be determined by the notations contained on the roll and accompanying field notes.
 - 2.** There shall be a presumption that a person whose name appears on the Durant Roll is 4/4 of the Tribe indicated when there is no information on the Durant Roll or the accompanying field notes to indicate otherwise.
 - a.** If there is a conflict between the Durant Roll and other documents that have been submitted in the enrollment process, the Enrollment Department will resolve such conflicts in accordance with the provisions of these Regulations.
 - 3.** Whenever a notation appears on the Durant Roll that a person received the Pottawatomi payment, the Enrollment Department shall seek assistance from the Bureau of Indian Affairs records to accurately determine the proper blood quantum of each Tribe to ascribe to that person on the Durant Roll.
- C. Traceable to LTBB includes the following:**
- 1.** All persons listed on the Durant Roll under the following chiefs or areas of residency:

Nawwemaishcotay - Cross Village

Shawwawdayse - Charlevoix

Shawwawnegwnaybe - Bay Shore

Louis Micksawbay - Charlevoix

Awmegwawbay - Petoskey

Nawogemaw - Good Hart/Middle Village

Simon Keywawdezhick - Harbor Springs

Joseph Waybwaydum - Burt Lake

Daniel Nesawwawquot - Harbor Springs

Payzhickwaywedung - Beaver Island Band

Nawoquaygawbowe - Manistique

Kawgegaypenayse - North Shore

2. All persons whose names appear on the Durant Roll who resided within the Reservation at the time the Durant Roll was compiled.
3. All persons listed on the 1836 to 1870 Annuity payrolls of Ottawa & Chippewa Indians of Michigan or Indians referenced in the 1850 through 1920 Federal Population Enumeration (Census Records) who resided within the Reservation or areas of residency listed in C(1) above at the time the payrolls were written.
4. All descendants of persons enrolled under C (1)-(3).

D. May 23, 1999 to December 31, 2001

1. Solely for the purpose of determining degree of Little Traverse Bay Bands of Odawa Indians Indian blood quantum for citizenship in the Tribe, the blood quantum of citizens who submitted applications between May 23, 1999 and December 31, 2001, under the provisions of WOS 1999005, § V (B) (4); WOS 1999014, § V (B) (3), shall continue to be listed based upon the computations made during that period. A notation shall be made on the tribal roll identifying the individuals affected by these computations. The blood quantum of the descendants of these individuals who applied after December 31, 2001 shall be computed based upon the notations on the Durant Roll and the accompanying field notes.

E. Determining North American Indian Blood Quantum.

1. Certificate Degree of Indian Blood ("CDIB") issued by the Bureau of Indian Affairs, verified by LTBB Enrollment Department ; or
2. Other similar documents issued by North American Indian tribes, bands, nations, Indian communities, etc. verified by LTBB Enrollment Department;
3. The CDIB or similar document must contain the following:

- a. An individual's full name and date of birth on official letterhead. Any other information included if applicable;
 - b. An individual's North American Indian blood quantum;
 - c. Signature of official from issuing agency.
- 4. The applicant or LTBB citizen must also submit documents which establish the applicant's lineal descendancy by providing evidentiary documents listed in § V (A)-(C) in these Regulations.

F. Blood Quantum Adjustments.

1. Submission.

- a. Tribal citizens may file a request with the Enrollment Department to adjust their blood quantum; or the LTBB Enrollment Department may request a change in blood quantum if it is discovered that additional documentation warrants a change.
- b. A tribal citizen requesting an adjustment to their blood quantum shall provide the Enrollment Department with documents supporting such an adjustment.
 - i. Supporting documents may be any of those used in establishing eligibility for citizenship, or any other such documents that may establish or prove blood quantum.
- c. The Enrollment Department shall submit received documents to the Citizenship Commission. In cases where the Enrollment Department discovers documents which support a change in blood quantum, these documents shall also be submitted to the Citizenship Commission for review.

2. Review. The Citizenship Commission shall review submitted documents and make a determination on whether the submitted documents support a change in blood quantum.

- a. If the Citizenship Commission determines that the submitted documents do not support a change in blood quantum, the Citizenship Commission shall inform the individual of the reasons why their request for a blood quantum change was denied.
- b. If the Citizenship Commission determines that the submitted documents do support a change in blood quantum, the Citizenship Commission shall adopt a motion stating that a change in the

individual's blood quantum is warranted and the reasons why such a change is warranted.

c. Motions shall be presented to the Tribal Chairperson.

3. **Effective Date.** A blood quantum adjustment shall be effective upon the adoption of a motion by the Citizenship Commission supporting the blood quantum change.

a. Enrollment Staff will notify the LTBB Citizen of the decision made.

IV. Disenrollment.

A. Who may be disenrolled:

1. A tribal citizen whose name does not appear on the March 31, 2003 Base Roll may be subject to disenrollment when proof is available that:

2.

a. The tribal citizen submitted documents which they knew, or had reason to believe, were factually inaccurate or fraudulent.

b. The tribal citizen's blood quantum was calculated incorrectly and recalculating the tribal citizen's blood quantum results in the tribal citizen being ineligible for citizenship under the laws governing enrollment at the time the individual applied.

c. The tribal citizen is currently enrolled with another federally recognized Indian tribe and does not relinquish the citizenship in the other tribe within thirty (30) days of receipt of a certified letter from the Enrollment Department informing them of the necessity to submit the required relinquishment.

B. Limitations on Disenrollment; Article V, § H of the Constitution:

1. No person on the March 31, 2003 roll may be involuntarily disenrolled unless they are shown to have knowingly presented falsified documents or become a citizen of another federally recognized tribe.

2. No enrolled tribal citizen who meets the eligibility requirements in Article V of the Constitution shall be subject to disenrollment.

C. Procedure for Disenrollment:

1. **Enrollment Department.** If the Enrollment Department, after conducting a review of a tribal citizen's file, concludes that the tribal citizen does not

meet citizenship criteria in effect at the time the individual enrolled, the Enrollment Department shall:

- a.** Send the tribal citizen a Status Letter informing them that their eligibility for citizenship is in question. This letter shall include:
 - i.** The reason(s) why their eligibility for citizenship is in question;
 - ii.** The specific provision(s) of the Constitution, Tribal Code, or Tribal Codes of Regulation which are being violated; and
 - iii.** What specific actions or steps need to be taken in order to clear up any issues or questions regarding their eligibility for citizenship.
- b.** The tribal citizen shall have thirty (30) days from the postmarked date on the Status Letter to provide the Enrollment Department with any documentation, forms, etc. which address the question(s) or issue(s) regarding their eligibility for citizenship.
- c.** If the tribal citizen fails to provide such documentation, forms, etc. to the Enrollment Department within the thirty (30) day time period, the Enrollment Department shall forward a copy of the tribal citizen's enrollment file and the Status Letter to the Citizenship Commission for review within five (5) business days from the expiration of the thirty (30) day response period.

2. Citizenship Commission:

- a.** The Citizenship Commission shall review the file provided by the Enrollment Department, along with the Status Letter that was sent to the tribal citizen, at the first regularly scheduled meeting following the receipt of the materials sent by the Enrollment Department.
- b.** If the Citizenship Commission determines that the tribal citizen meets applicable eligibility requirements then the Commission shall notify the tribal citizen by U.S. mail within five (5) business days that their eligibility for citizenship is no longer in question.
- c.** If the Citizenship Commission determines that the tribal citizen does not meet the applicable eligibility requirements and that disenrollment actions are warranted the Citizenship Commission shall:

- i. Adopt a Motion for Disenrollment recommending that the tribal citizen be disenrolled and the reasons why disenrollment is recommended;
- ii. The Motion for Disenrollment shall be forwarded to the Tribal Chairperson within five (5) business days of its adoption.

3. Tribal Chairperson:

- a. Upon receipt of a Motion for Disenrollment from the Citizenship Commission recommending a tribal citizen be disenrolled, the Tribal Chairperson shall provide the Tribal Council with a copy of the Motion for Disenrollment and the tribal citizen's enrollment file within five (5) business days of receipt from the Citizenship Commission.

4. Tribal Council:

- a. Upon receipt from the Tribal Chairperson of a Motion for Disenrollment and any accompanying documentation, the Tribal Council shall provide the tribal citizen with written notice that their eligibility for citizenship is in question and that a Disenrollment Hearing will be held to determine their eligibility for citizenship.
- b. The Tribal Council shall hold a Disenrollment Hearing which conforms to the requirements set out in article V, § H (4) of the Constitution:
 - i. After 180 days from the date notice was sent to the tribal citizen; or
 - ii. Upon written request by the tribal citizen that the Disenrollment Hearing be held prior to the expiration of the 180 day period.
- c. At the next regularly scheduled Tribal Council meeting following a Disenrollment Hearing the Tribal Council shall vote on whether or not to disenroll the tribal citizen.
- d. Disenrollment shall be effective upon an affirmative vote of at least seven (7) of nine (9) Tribal Council members. Once the disenrollment is effective, all rights and privileges of Tribal citizenship, including access to services and monetary entitlements, shall be revoked.

- i. Tribal Council shall send a Notice of Disenrollment to the individual by U.S. mail the first business day following the affirmative vote to disenroll notifying them that their citizenship has been revoked and notifying them of their right to appeal the Tribal Council's decision to the Tribal Court.
- ii. The Notice of Disenrollment shall also be sent to the Executive the first business day following the affirmative vote to disenroll.

D. Citizenship after Disenrollment.

1. An adult citizen who is disenrolled from the Tribe shall not be eligible for re-enrollment for a period of five (5) years.
2. A minor citizen who has been disenrolled shall be eligible for re-enrollment at any time upon recommendation of the Tribal Court and approval of the Tribal Council or any time after he/she reaches eighteen (18) years of age.
 - a. If Tribal Council waives the five year re-enrollment period for the minor this does not guarantee automatic citizenship. The minor must reapply for citizenship with the LTBB Enrollment Department.

V. Documentation.

A. Documentation that must accompany an application for citizenship:

- a. Family tree chart.
- b. Applicant's original state-issued birth certificate.
- c. If the applicant's biological mother was not a tribal citizen, or if the tribal blood quantum of the father is required for eligibility, one of the following also must accompany the birth certificate:
 - i. A marriage license showing that the applicant's mother was married to the tribal citizen father at the time of the birth; or
 - ii. An affidavit of parentage signed at the hospital by both the applicant's mother and father and submitted to the State of Michigan; or if the applicant was born in another state, in

accordance with the laws of that state which govern paternity of a child born out of wedlock; or

iii. A court order declaring a tribal citizen to be the biological father; or

iv. Establishment of paternity through other laws of the Little Traverse Bay Bands of Odawa Indians.

d. Documentation proving the direct descent of each LTBB ancestor from a base enrollee if neither the applicant's father nor mother is an enrolled citizen of the Tribe. Pursuant to the Constitution, the identified LTBB individuals on the Durant Roll and Annuity rolls AND the persons on the March 31, 2003 Roll are designated as "base enrollees."

e. Proof of relinquishment of citizenship in any other tribe, band or Indian group recognized by the federal government of the United States.

f. Certification of degree of North American Indian blood quantum from any other tribe(s) the applicant is descended from, if such blood quantum is needed to meet the eligibility requirement.

B. Evidentiary Documents. The following documents may be included with an application for citizenship in order to establish or prove eligibility for citizenship:

1. Birth certificates; (original)
2. Death certificates;
3. BIA records;
4. Baptismal records and other church documents;
5. Marriage licenses;
6. Divorce decrees;
7. Certificate degree of Indian blood from another North American Indian tribe, verified by Enrollment Department;
8. Newspaper obituaries or other newspaper articles;
9. Census records;
10. Proof of Guardianship, Proof of Custodianship, or a court order which establishes or affirms guardianship or custodianship;

11. Other documents which are similar in nature to the documents listed in § V (B) (1)-(10).

C. Individuals Who Were Adopted Out; Additional Documentation Required.

An applicant who was adopted out as a child must submit documentation proving that their biological parent(s) is a descendant of a base enrollee. Any of the following may be used:

1. A copy of the adoption decree together with either the original birth certificate identifying the biological parent(s) or a legal document identifying the natural parent(s).
2. Certification from the Secretary of the Interior or his/her authorized representative pursuant to the Indian Child Welfare Act of 1978 (P.L. 95-608) of the relationship between an applicant and the biological parent(s).
3. When necessary, the Enrollment Department shall petition a government or government agency or department, or private adoption agency for the information necessary to establish the identity of the biological parents of such an applicant, subject to any stipulations the disclosing state government or state government agency or department, or private adoption agency may place on the release or disclosure of that information.
 - a. The Enrollment Department will complete the Petition for Adoption Information and Order form, or any other necessary forms, and submit it to the state court or private adoption agency where the adoption was finalized.
 - b. A copy of the Adoptive Birth Certificate, Order of Adoption and self-addressed return envelope will be submitted with the Petition. If required by the state court or private adoption agency, a copy of the applicant's request for tribal citizenship will also be submitted.
 - c. If the state court requires a fee to file the Petition, the Enrollment Department shall notify the applicant that a money order made out to the state court will be needed before the Petition can be filed.
 - d. Upon receipt of the birth parent(s) information from the state court or private adoption agency, the research to determine degree of Indian blood and tribal affiliation will be done and if appropriate, a confidential Certificate Degree of Indian blood (CDIB) will be issued and maintained in the applicant's file. No birth parent information will be listed on the CDIB. Procedures for enrollment pursuant to Article V of the Constitution shall apply.

- e. If the information received from the state court or private adoption agency does not trace to the Little Traverse Bay Bands of Odawa Indians, a denial letter stating that the applicant is not traceable will be issued to the applicant. In cases of denial the Enrollment Department will destroy information received from the state court or private agency after two (2) years.
 - f. If the Enrollment Department cannot continue with the blood quantum research because the biological parents were not enrolled with LTBB, the Enrollment Department shall release the records to the Bureau of Indian Affairs, Midwest Agency, Sault Ste. Marie, MI for further research and attempted verification of blood quantum.
4. In circumstances where the Enrollment Department is unable to receive the information necessary to issue a Certificate Degree of Indian Blood, documentation along with the enrollment application will be submitted to the Bureau of Indian Affairs requesting a CDIB. If the state court or private agency requires a fee to file the Petition, the Enrollment Department will notify the applicant that a money order made out to the state court or private agency will be needed before the Petition can be filed.

VI. Maintenance of Enrollment Department Records:

- A. Updating Records.** Upon receipt of appropriate documentation, the Enrollment Department is authorized to update information on the tribal roll or contained in an enrollment file.
- B. Name Change.** The following documents may be used by a tribal citizen to change their name as it appears on the tribal roll or in their enrollment file:
- 1. Marriage license;
 - 2. Divorce decree;
 - 3. Court order for a name change;
 - 4. Adoption decree or order;
 - 5. Birth certificate or amended birth certificate;
 - 6. Document or order for name change issued pursuant to Tribal law or Tribal Codes of Regulations.

C. Address change:

1. Changes of address must be submitted on an official change of address form provided by the Enrollment Department.
2. **Address Changes for Minors:**
 - a. Parents may file a change of address form;
 - b. In the case of divorce, the parent with primary physical custody may file a change of address form: proof of primary physical custody must be provided prior to filing a change of address form;
 - c. In cases where a minor is a ward of the court, or is otherwise under the care and supervision of the court, individuals authorized by the court may file a change of address form: proof of authorization by the court to act on behalf of the minor must be provided prior to filing a change of address form.
3. **Address Changes for Incompetent Persons:**
 - a. A change of address form may be filed by the parent, guardian, custodian or legal representative of an incompetent person. The change of address form must be signed by the parent, guardian, custodian or legal representative and must be notarized.
4. **Death:**
 - a. Death certificate.
 - b. Social Security death index record.
 - c. Obituary notice from newspaper, if neither of the above two items are available.

D. Integrity of Records:

1. **Hard Copy Records.** The following shall apply to all hard copy enrollment records:
 - a. Areas in which the records are maintained or regularly used shall be posted with an appropriate warning stating that access to the records is limited to authorized persons.
 - b. During working hours, the area in which the records are maintained or regularly used shall be occupied by authorized

personnel or the access to the records shall be restricted by their storage in locked cabinets in a locked room.

- c. During non-working hours, access to the records shall be restricted by their storage in locked cabinets in a locked room.

- 2. **Electronic Records:** Access to records maintained on computer shall be limited to only those staff or personnel listed in § XI (B) of the Citizenship Statute. When maintained in computerized form, enrollment files and records shall be maintained subject to adequate safeguards.

3. **Adoption Records:**

- a. The information concerning adopted persons shall be recorded as confidential and shall not be disclosed to individuals other than Enrollment Department staff; except disclosures required by Tribal law or Tribal Codes of Regulation.
- b. This information shall be stored in locked file cabinets and adequate safeguards shall be installed to ensure that the confidentiality of these records shall not be violated.
- c. Information received from a state court, adoption agency, or Bureau of Indian Affairs shall only be disclosed to the applicant in accordance with the laws of the jurisdiction where the adoption was finalized. The citizenship file of an individual who was adopted out shall be marked “CONFIDENTIAL,” and will be maintained in a separate locked file cabinet.
- d. **Adoptions Made Pursuant to Tribal Law:** The release or disclosure of records of adoptions made pursuant to the laws of the Little Traverse Bay Bands of Odawa Indians shall be governed by the laws of the Little Traverse Bay Bands of Odawa Indians in effect at the time the adoption was finalized.

- E. **Record of Disclosure of Tribal Citizen Records.** Pursuant to § XI (B)-(D) of the Citizenship Statute, WOS 2006-008, records contained in a tribal citizen’s enrollment file may be disclosed to various individuals for the reasons or circumstances listed in the Statute. Records of such disclosures shall be maintained in the tribal citizens file.

- 1. **Request for Disclosure:** Individuals seeking to obtain a record contained in the enrollment file of a tribal citizen must file a Request for Disclosure. The Request for Disclosure shall be made on a form created by the Enrollment Department. Every Request for Disclosure shall be made a

part of the tribal citizen's enrollment file. The form for a Request for Disclosure shall contain the following:

- a. Name of the individual requesting the record;
 - b. Date the record was requested;
 - c. The nature and purpose for which the record was requested;
 - d. The specific section of the Citizenship Statute, WOS 2006-008, or successor statute, which authorizes or entitles the individual requesting the record to obtain the record.
2. **Review of Disclosures:** Tribal citizens shall have the right to view the Requests for Disclosures that are part of their enrollment file.

F. Request for access to records by citizens:

1. Tribal citizens may obtain photo copies of documents in their own enrollment file; with the exception of sealed adoption records that have been sealed under a court order.
2. A Tribal citizen can only access information in other citizens' files with written authorization of that citizen.
3. When requested by the mother, father, son, daughter, brother or sister of a deceased citizen, that deceased citizen's birth certificate or death certificate may be copied and released to that relative.
 - a. Any other release of documents from the file of any deceased citizen must be authorized by an order of the Tribal Court.

G. Use of Records That Have Been Submitted for Enrollment Purposes.

- a. Records in one citizen's folder may be used to prove the eligibility of an applicant or of another citizen whose eligibility is in question.
- b. **Use of Records to Generate List of Citizens.** The List of Citizens will be a document listing all enrolled citizens and shall contain the following information:
 - a. First, Middle, Suffix and Last Name, Maiden Name where applicable;
 - b. Date of Birth;

- c. Enrollment Number;
 - d. Address, City, State and Zip;
 - e. Phone Number;
 - f. The List of Citizens shall contain the above information only and shall be subject to the safeguard provisions contained in § VI (D) of these Regulations.
- c. **Access to List of Citizens.** Access to the List of Citizens shall be limited to governmental departments, entities and agencies within the Executive branch and non-Executive branch departments, entities and agencies that have obtained approval.
- a. If any Executive department, entity or agency requests the List of Citizens the request must be in writing, must state the reason for the request and must be approved by one of the following: the Tribal Chairperson, Vice-Chairperson or Tribal Administrator.
 - b. Access to the List of Citizens by a non-Executive Branch department, entity, or agency must be requested in writing, must state the reason for the request, and must be approved by either the Tribal Chairperson, Vice-Chairperson or Tribal Administrator.
- d. **Submitted Records Property of the Tribe.** All documents and materials submitted to the Tribe become the property of the Tribe and will be used to assure that eligible applicants are enrolled and that ineligible persons are not enrolled.

VII. Relinquishment.

A. Adult Citizen Voluntarily Relinquishment:

- 1. Any competent adult citizen of the Tribe may voluntarily relinquish his/her citizenship.
- 2. Relinquishment must be:
 - a. In writing;
 - i. On a form provided by the Enrollment Department; or
 - ii. In a letter indicating that the citizen wishes to relinquish his or her citizenship in the Tribe;

5. All requests for conditional relinquishments must be made on the standard form generated by the Enrollment Department for this purpose.
6. **Verification:**
 - a. Upon receipt of a conditional relinquishment, the Enrollment Department shall contact the tribe listed on the Conditional Relinquishment Form and shall verify the following:
 - i. That the individual submitting a conditional relinquishment has in fact applied for enrollment;
 - ii. The anticipated date that enrollment will occur.
 - b. The citizen conditionally relinquishing citizenship shall contact the Enrollment Department immediately upon enrollment with the prospective tribe.
 - i. If the citizen conditionally relinquishing citizenship does not contact the Enrollment Department by the anticipated date of enrollment given on the conditional relinquishment form, the Enrollment Department will contact the prospective Tribe and verify that the tribal citizen is now enrolled in that Tribe.
 - ii. If the Enrollment Department verifies that the LTBB citizen is now enrolled in the prospective tribe, the Enrollment Department shall remove the former tribal citizen from the tribal roll and notify the former LTBB citizen that he or she is no longer a LTBB citizen and that he or she has been taken off the tribal roll.
 - iii. If the Enrollment Department cannot verify that the LTBB citizen is enrolled with the prospective Tribe, then the Enrollment Department shall notify the prospective tribe and the tribal citizen that the Conditional Relinquishment is no longer valid.

D. Forms:

1. The Enrollment Department shall develop a standard form for Relinquishment of Citizenship and make the form available to tribal citizens upon request.

2. The Enrollment Department shall develop a standard form to request Tribal Court review of relinquishment requests made on behalf of a minor or incompetent person by a parent, guardian, custodian or legal representative. In cases where a request for relinquishment is filed by a guardian, custodian, or legal representative, proof of legal authority to act on behalf of the minor or incompetent person must be provided prior to filing a relinquishment request.
 - a. A request for relinquishment made on behalf of a minor or incompetent person must be signed by the person making the request and must also be notarized.
3. The Enrollment Department shall develop a standard form to request Tribal Court review of a request for re-enrollment made by a minor whose citizenship was relinquished by a parent or legal guardian.
4. The Enrollment Department shall develop a standard form for Conditional Relinquishment of Citizenship, which at a minimum shall include the following information:
 - a. That the tribal citizen is requesting conditional relinquishment of their citizenship;
 - b. The tribe they are seeking to enroll in;
 - c. The anticipated date in which enrollment in the prospective tribe will occur;
 - d. That enrollment in the prospective tribe shall operate as a voluntary relinquishment of citizenship with LTBB.

E. Citizenship after Relinquishment:

1. An adult citizen who relinquishes his/her citizenship in the Tribe shall not be eligible for re-enrollment for a period of five (5) years.
2. A minor citizen whose citizenship has been relinquished by a parent or guardian shall be eligible for re-enrollment at any time upon recommendation of the Tribal Court and approval of the Tribal Council or any time after he/she reaches eighteen (18) years of age.
3. Eligibility for re-enrollment does not mean automatic enrollment. You must reapply for LTBB Citizenship with the LTBB Enrollment Department. Enrollment staff will treat this as a new applicant applying for citizenship and will be processed in date order received.

CERTIFICATION

As Chairperson, I certify that I approve of the Interim Citizenship Statute Regulations.

Date: _____

Frank Ettawageshik, Tribal Chairperson